



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-2395/1
FFK:amn

2021 SENATE BILL 597

October 8, 2021 - Introduced by Senators WANGGAARD, BALLWEG, DARLING, FEYEN, JAGLER, STROEBEL and FELZKOWSKI, cosponsored by Representatives J. RODRIGUEZ, KERKMAN, DITTRICH, GUNDRUM, KUGLITSCH, PENTERMAN, ROZAR, STEFFEN and TUSLER. Referred to Committee on Education.

1 **AN ACT to amend** 118.14 (1) (intro.), 121.004 (7) (b) and 121.004 (7) (c) 1. (intro.);
2 **and to create** 118.60 (6d) and 119.23 (6d) of the statutes; **relating to:** early
3 admission to kindergarten and first grade at a private school participating in
4 a parental choice program.

Analysis by the Legislative Reference Bureau

Under current law, a child may not be admitted to four-year-old kindergarten, five-year-old kindergarten, or first grade unless the child is four years old, five years old, or six years old, respectively, on or before September 1 of the school year. However, current law also requires school boards to prescribe procedures, conditions, and standards for early admission (early admission policy) to four-year-old kindergarten, five-year-old kindergarten, and first grade, and provides an exception to the minimum age requirements for children admitted in accordance with a school board's early admission policy. Current law also specifies that for purposes of counting pupils enrolled in schools or school districts, a pupil enrolled in four-year-old kindergarten, five-year-old kindergarten, or first grade may only be counted if the pupil satisfies the minimum age set by law or an age allowed under a school board's early admission policy.

This bill creates an exception to the minimum age requirements for admission to four-year-old kindergarten, five-year-old kindergarten, or first grade for private schools participating in the Milwaukee Parental Choice Program, Racine Parental Choice Program, or the Wisconsin Statewide Parental Choice Program. The bill authorizes the governing body of a private school participating in a parental choice

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program to establish an early admission policy for four-year-old kindergarten, five-year-old kindergarten, and first grade. Under the bill, a child who is admitted in accordance with a governing body's early admission policy may be counted as a pupil enrolled in the private school.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 118.14 (1) (intro.) of the statutes is amended to read:

2 118.14 (1) (intro.) Except as provided in ~~s. ss. 118.60 (6d), 119.23 (6d), and~~
3 120.12 (25), all of the following apply:

4 **SECTION 2.** 118.60 (6d) of the statutes is created to read:

5 118.60 (6d) The governing body of a private school participating in a program
6 under this section may establish procedures, conditions, and standards for early
7 admission to kindergarten and first grade.

8 **SECTION 3.** 119.23 (6d) of the statutes is created to read:

9 119.23 (6d) The governing body of a private school participating in the program
10 under this section may establish procedures, conditions, and standards for early
11 admission to kindergarten and first grade.

12 **SECTION 4.** 121.004 (7) (b) of the statutes is amended to read:

13 121.004 (7) (b) A first grade pupil may be counted only if the pupil attains the
14 age permitted under s. 118.60 (6d), 119.23 (6d), or 120.12 (25) or required under s.
15 118.14 for first grade admission.

16 **SECTION 5.** 121.004 (7) (c) 1. (intro.) of the statutes is amended to read:

17 121.004 (7) (c) 1. (intro.) A pupil enrolled in kindergarten may be counted only
18 if the pupil attains the age permitted under s. 118.60 (6d), 119.23 (6d), or 120.12 (25)
19 or required under s. 118.14 for kindergarten admission. A kindergarten pupil,

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1 including a pupil enrolled in a 4-year-old kindergarten program being phased in
2 under s. 118.14 (3) (b), shall be counted as one-half pupil except that:

3 (END)